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C O N F I D E N T I A L TRIPOLI 000027

E.O. 12958: DECL: 12/12/2014
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SUBJECT: (C) BULGARIAN MEDICS UPDATE

CLASSIFIED BY: Gregory L. Berry, Chief of Mission, USLO,
Tripoli. REASON: 1.4 (b), (d)

¶1. (C) Status of Medics: The five Bulgarian medics sentenced to death for infecting over 400 Libyan children with HIV-tainted blood in a Benghazi hospital are being kept relatively secluded, the Bulgarian Embassy's Dimitar Dimitrov told us December 7. Dimitrov personally speculates this is because members of a Committee on Prison Reform (possibly part of a Libyan initiative to review internal procedures in a number of areas, including prisons) have been visiting the prison and the prison authorities do not want committee members to have contact with the Bulgarians. Libyan authorities turned Dimitrov away on December 7 when he tried to visit the medics; in the past, prison authorities had allowed Dimitrov to visit more or less whenever he wished. Meanwhile, the Palestinian doctor who also received the death sentence has been moved to newer area of the Abu Salim Prison where all six are being held. Libyan authorities allowed his family (four sisters and mother) to visit him within the past few days; his mother had not seen him for some time, since a prison guard insulted her and she refused to return to the prison.

¶2. (C) State of Appeal: The medics' appeal case is now pending with the Neeaba Office (which means "prosecution"), a consultative body within the Supreme Court that reviews all the evidence for a trial and appeal, examines the case profile, and prepares a report that is presented to judges for review, Dimitrov reported. Libyan prosecutors are still protesting the acquittal of one of the Bulgarians, a doctor who is married to one of the convicted medics. According to Dimitrov, the acquitted doctor could be asked to return to prison, which could cause serious problems since he is currently living in the Bulgarian Embassy in Tripoli. (Note: The doctor remains in Tripoli because of his wife, and because Libyan authorities have refused to grant him an exit visa to leave Libya pending the outcome of the appeal. End note.)

¶3. (C) Bulgarian Embassy Reaction to Recent Libyan Public Statements: The Bulgarian government was surprised by the December 5 news reports of Libyan FM Shalgam's statement that Libya would review the death penalty for the Bulgarian medics if Bulgaria provides compensation to the victim's families, Dimitrov said. He reiterated Bulgaria's position that payment of compensation is not an option, since Bulgaria will not agree to deal directly with the families, and because it is an admission of guilt. The Bulgarians view Qadhafi son Saif al-Islam's statement in a December 9 New York Times article that "no one is going to execute anyone" as unofficial.

¶4. (C) Libyan Demands to EU: Ramadan Al Fituri, head of the association representing the families of the 426 HIV-infected children, presented settlement demands to the European Commission representatives currently visiting Libya. According to Dimitrov, the families want the Bulgarian government to build a hospital and provide compensation, medical care and full support for the children for the rest of their lives. Dimitrov says the Bulgarian government did not directly receive a copy of the letter.

BERRY